THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No. 9700 of 2007

Dated: 12.11.2007

Between:

Kadagala Narayana Rao.

... Petitioner

AND

The Government of A.P., rep., by its
Secretary, Municipal Administration and
Urban Development Department,
Secretariat, Hyderabad
& others.

... Respondents

Counsel for the petitioner : Sri A.V. Sesha Sai

Counsel for respondent No.2 : Sri S. Nageswara Reddy
SC for Parvathipuram Municipality

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No. 9700 of 2007

ORDER:-

This writ petition is filed for a writ of mandamus to declare the action of respondent Nos.2 to 4 in proceeding with the process of considering and approving the layout plan submitted by respondent Nos.5, 6 and 7 in respect of the land situated in Sy.No.397/4 of Parvathipuram Municipal limits, Vizianagaram District, without taking into consideration the legal notice dated 21.03.2006, as illegal and arbitrary.

Though this writ petition underwent as many as five adjournments to enable the learned counsel for respondent Nos.2 to 4 to get instructions, they have not reported any instructions so far.

Since the petitioner is seeking innocuous relief in this writ petition, namely, before considering and approving the layout plan submitted by respondent Nos.5, 6 and 7, the objections raised in the legal notice dated 21.03.2006 may be considered, I am not inclined to adjourn the case further and instead I feel it appropriate to dispose of the writ petition with a direction to respondent Nos.2 to 4 to consider the legal notice dated 21.03.2006 before approving the layout plan submitted by respondent Nos.5, 6 and 7 in respect of the land situated in Sy.No.397/4 of Parvathipuram Municipal limits, if such approval has not already been given.

The writ petition is disposed of accordingly.

As a sequel to disposal of the writ petition,

WPMP.No.12310 of 2007 filed by the petitioner for interim relief is disposed of as infructuous.

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C.V. NAGARJUNA REDDY, J

Date: 12.11.2007
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